

Art Unit: 2116
Serial No. 09/920,575

PATENT
Attorney Docket No.: K35A0782

REMARKS

INTRODUCTION:

Claims 1-12 are pending.

Applicant respectfully requests reconsideration and allowance of the application. Applicant respectfully submits that the following remarks specifically point out how the language of the claims patentably distinguishes them from the prior art of record including US Patent 6,385,721 to Puckette ("Puckette") and US Patent 6,367,074 to Bates et al. ("Bates").

In the Office Action, the Examiner rejected claims 1-12 under 35 USC 103(a), as being unpatentable over Puckette in view of Bates. In this response, Applicant has:

- 1) requested a 2-month extension of time.

FEATURES OF THE INVENTION:

This invention can be regarded as a disk drive for use with a computer system configured to generate a command, such as a disk drive claimed in claim 1, an example of which is shown in Fig. 1, as disk drive 14. Such a disk drive includes a host-accessible user partition, such as host-accessible user partition 52 as shown in Fig. 2, and a host-inaccessible hidden partition independent of the host-accessible user partition, such as host-inaccessible hidden partition 56 (see Fig. 2).

The host-accessible user partition includes a user partition address range, such as from LBA 0 to LBA MAX (see Fig. 2), a host-selected operating system stored within the user partition address range, such as host-selected operating system 20, and a host-selected master boot record stored within the user partition address range ..., such as host-selected master boot record 24. The host-inaccessible hidden partition includes a hidden partition address range outside the user partition address range, such as hidden partition address range NATIVE LBA MAX + 1 and beyond (see Fig. 2), a drive-selected boot record stored within the hidden partition address range, the drive-selected boot record configured to load an instruction set capable of executing an application program having a user interface for accepting a user selection identifying the user-selectable

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function to be performed, to execute the application program, to accept the user selection identifying the user-selectable function to be performed, and to load an operating system configured to perform the user-selectable function, such as drive-selected boot record 26, and at least one drive-selected operating system configurable to perform at least one user-selectable function, such as DOS 222 (see Fig. 4). The disk drive further includes a disk controller configured to receive the command from the computer system and to send the drive-selected boot record to the computer system in response to receipt of the command, such as disk controller 31.

This invention can also be regarded as a computer system, such as a computer system claimed in claim 7, an example of which is shown in Fig. 1, as computer system 10. Such a computer system includes a disk drive and a host computer coupled to the disk drive, such as disk drive 14 and host computer 12. The disk drive includes a host-accessible user partition and a host-inaccessible hidden partition independent of the host-accessible user partition, such as host-accessible user partition 52 (see Fig. 2) and host-inaccessible hidden partition 56 (see Fig. 2).

The host-accessible user-partition includes a user partition address range, such as from LBA 0 to LBA MAX (see Fig. 2), a host-selected operating system stored within the user partition address range, such as host-selected operating system 20, and a host-selected master boot record stored within the user partition address range, the host-selected master boot record identifying the host-selected operating system, such as host-selected master boot record 24. The host-inaccessible hidden partition includes a hidden partition address range outside the user partition address range, such as hidden partition address range NATIVE LBA MAX + 1 and beyond (see Fig. 2) and a drive-selected boot record stored within the hidden partition address range, such as drive-selected boot record 26. The host computer includes a host processor and a host memory, such as host processor 16 and host memory 17. The host processor is configured to generate a command to read the host-selected master boot record, such as boot command (see Fig. 3, at 100). The host memory is configured to load the drive-selected boot record to define a loaded drive-selected boot record, after the disk drive receives the command. The host processor is configured to execute the loaded drive-selected boot record, the drive-

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selected boot record is configured to load an instruction set capable of executing an application program having a user interface for accepting a user selection identifying the user-selectable function to be performed, to execute the application program, to accept the user selection identifying the user-selectable function to be performed, and to load an operating system configured to perform the user-selectable function.

DISTINGUISHING LANGUAGE OF THE CLAIMS:

The prior art of record including Puckette and Bates does not teach or suggest certain claimed features in each of claims 1-12.

In particular, with reference to independent claims 1 and 7, the prior art of record including Puckette and Bates does not teach or suggest the recited feature "a host-inaccessible hidden partition independent of the host-accessible user partition," within the context of a disk drive, as set forth in line 8 of each claim.

In contrast, Puckette teaches that the hibernation partition 50 is accessible only by the BIOS, see e.g., Fig. 2 and column 7, lines 9-10 of Puckette where it states **"Since this hibernation partition 50 is only accessed by the BIOS"** (emphasis added by Applicant). Since Puckette's hibernation partition 50 is only accessed by the BIOS, it logically follows that the hibernation partition is still accessible by the host computer or host-accessible whereas each independent claim recites that the hidden partition is host-inaccessible. In other words, the claimed "host-inaccessible hidden partition" is not visible or accessed by the BIOS.

In addition, with reference to independent claims 1 and 7, the prior art of record including Puckette and Bates does not teach or suggest the recited feature "a hidden partition address range outside the user partition address range" as set forth in line 10 of each claim. This claimed feature allows the host-inaccessible hidden partition to lay beyond the total capacity of the disk drive reported to the host.

In view of the foregoing, Applicant respectfully submits that claims 1 and 7 (and each of the pending dependent claims) recite patentable subject matter and are allowable.

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In view of the foregoing remarks, Applicant respectfully submits that the pending claims 1-12 are now in condition for allowance and requests reconsideration of the rejections. Allowance of claims 1-12 at an early date is respectfully solicited.

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